

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER
CEPF-0006

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (if known see 37 CFR 1.5)

10/539918

INTERNATIONAL APPLICATION NO.
PCT/FR2003/003799

INTERNATIONAL FILING DATE
18 December 2003 (18.12.2003)

PRIORITY DATE CLAIMED
20 December 2002 (20.12.2002)

TITLE OF INVENTION PROCESS FOR THE PREPARATION OF AND CRYSTALLINE FORMS OF OPTICAL ENANTIOMERS OF MODAFINIL

APPLICANT(S) FOR DO/EO/US Olivier NECKEBROCK, Laurent COURVOISIER, Stéphanie GRAF, Gilles SERRURE, Gérard COQUEREL, Sébastien ROSE, Christine BESSELIEVRE, Franck MALLET and Adriaan Jan VAN LANGEVELDE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

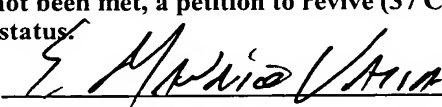
1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.,
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4). (**unexecuted**)
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.182-1.825.
18. ☒ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - a copy of the International Preliminary Examination Report (French);
 - a copy of the International Search Report;
 - a return postcard.

EV482611529US

EXPRESS MAIL Mailing Label No. EV 482611529 US
Date of Deposit: June 16, 2005

U.S. APPLICATION NO. (if known 37 C.F.R. 1.5) 10/539918		INTERNATIONAL APPLICATION NO. PCT/FR2003/003799		ATTORNEY DOCKET NUMBER CEPF-0006	
The following fees are submitted:					
21. <input checked="" type="checkbox"/> Basic national fee		\$300.00	\$	300.00	
22. <input checked="" type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)		\$100.00	\$	200.00	
All other situations		\$200.00			
23. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the International application to the USPTO as an International Searching Authority		\$100.00	\$	500.00	
International Search Report prepared and provided to the Office		\$400.00			
All other situations		\$500.00			
TOTAL of 21, 22 and 23 =				\$1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
98- 100 =	0/50=		X \$250.00	\$	0
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =		X \$50.00	\$	
Independent Claims	- 3 =		X \$200.00	\$	
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1,000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
				+	
TOTAL NATIONAL FEE =				\$1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$1,000.00	
				Amount to be:	\$
				refunded	
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$1,000.00 to cover the above fee is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 23-3050 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner if hereby authorized to charge any additional fees which may be required **except additional claims fees**, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:			 SIGNATURE		
Suzanne E. Miller Woodcock Washburn LLP One Liberty Place - 46th Floor Philadelphia, PA 19103 (215) 568-3100			S. Maurice Valla NAME		
			43,966 REGISTRATION NUMBER		